

**REMARKS**

Claims 1-3, 6-16, 19, 21-28 and 31-47 are pending in this application. Claims 38-46 were previously withdrawn from consideration. By this Amendment, claims 3 and 33 are amended; claim 47 is added; and claim 29 is canceled.

The courtesies extended to Applicant's representative by Examiner Pokrzywa at the interview held January 26, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Applicants gratefully acknowledge the Office Action's indication that claims 9 and 10 contain allowable subject matter.

**I. Claim for Priority**

A Claim for Priority was filed on January 27, 1999 with a certified copy of the priority documents for this application. It is respectfully requested that the Examiner acknowledge receipt of the certified copy.

**II. The Claims Satisfy all Formal Requirements**

The Office Action objects to claim 33 for informalities. In response, claim 33 is amended to obviate the rejection. Withdrawal of the objection is respectfully requested.

Claim 47 is added to reinstate claim 20, which was previously canceled.

**II. The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1-3, 6-8, 11, 15, 16, 19, 21, 22, 25-27, 31 and 32 under 35 U.S.C. §102(b) over U.S. Patent No. 5,283,665 to Ogata; and claims 12-14, 23, 24, 28, 29 and 33-37 under 35 U.S.C. §103(a) over Ogata in view of U.S. Patent No. 5,727,050 to Mori et al. These rejections are respectfully traversed.

As discussed during the personal interview, Ogata does not teach, disclose or suggest that when a facsimile device receives a transfer command to specify a memory box

corresponding to a box number and the memory box specified by the transfer command is effective, the device transmits first image data stored in the memory box to a calling side facsimile device, and, when the memory box is ineffective, the facsimile device transmits second image data different from the first image data to the calling side facsimile device, as recited in claim 1. The facsimile device, as recited in claim 1, transmits the second image data different from the first image data to the calling side when the memory box specified by the transfer command is ineffective.

Instead, the transmitting side facsimile in Ogata shuts down the communication line when the compared data does not agree and therefore, does not transmit any image data to the receiving side facsimile.

As recited in claim 1 of the present invention, the memory box includes a plurality of confidential boxes and bulletin board boxes. Each confidential box is assigned a box number and an identification number and each bulletin board box is assigned a box number alone.

In Ogata, the facsimile is provided with a box corresponding to the confidential box. However, there is no disclosure or suggestion in Ogata about a box corresponding to the bulletin board box.

As recited in claim 1 of the present invention, when receiving the transfer command from the calling side, the facsimile determines whether the memory box specified by the transfer command is effective and then automatically transmits the first or second image data based on the comparison result to the calling side.

Instead, in Ogata, when the receiving side facsimile internally holds no print confidential mail request (S602: YES in the third embodiment) or no print request (S622: NO in the fourth embodiment), the receiving side facsimile does not conduct a processing to call the transmitting side facsimile (the processing in S630 in the third and fourth embodiments).

In this case, therefore, the transmitting side facsimile will not transmit the image data to the receiving side facsimile.

Specifically, Ogata includes a first through fourth embodiments. In the first and second embodiments, when the transmitting side facsimile device receives a transmission request from the receiving side facsimile device (S1: YES), the transmitting side facsimile device calls the receiving side facsimile device after reading various kinds of data including image data (S3 to S5) and then transmits the image data immediately without conducting an determination to the receiving side facsimile device (S6). Such structures by Ogata are unrelated to the recited features of claim 1 of the present invention.

In the third embodiment of Ogata (Fig. 11: a transmitting side, Fig. 12: a receiving side), when the transmitting side facsimile receives a transmission request from the receiving side facsimile (S601: YES), the transmitting side facsimile reads image data from a document and also reads various kinds of data on the receiving side facsimile (S603 and S604), and then calls the receiving side facsimile (S605) to transmit an advance notice of confidential mail transmission to the receiving side facsimile (S606).

The receiving side facsimile of Ogata receives the advance notice of confidential mail transmission (S621: YES, S623), and stores various kinds of data on the transmitting side facsimile in a reading memory and simultaneously displays a predetermined message on a display (S624 to S626).

If the receiving side facsimile of Ogata internally holds a print-out request of the confidential mail (S622: YES), it receives an addressee's box number and password and compares them with the data read in S624 (S627 and S628). If the compared data agree (S629: YES), the facsimile transmits a transmit advance notice of confidential mail transmission to the transmitting side facsimile.

Further, based on a call from the receiving side facsimile of Ogata (S602: YES), the transmitting side facsimile reads the data transmitted from the receiving side facsimile from among various kinds of data on the transmitting side facsimile itself (S608) and also compares the data with the data stored in the transmitting side facsimile itself (S609). If the compared data agree (S610: YES), the transmitting side facsimile starts to transmit the image data to the receiving side facsimile (S611). If the compared data do not agree (S610: NO), the transmitting side facsimile shuts down the communication line.

The transmitting/receiving control in the fourth embodiment of Ogata (Figs. 14: a transmitting side, Fig. 15: a receiving side) is basically identical to that in the third embodiment.

Mori et al. does not make up for the deficiencies of Ogata. Instead, Mori et al. discloses that "when the passwords do not agree or there is no password input, the image data inside the first mailbox 18a is not transmitted and the processing finishes" (col. 6, lines 5-12).

For at least these reasons, it is respectfully submitted that claim 1 is patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed, as well as for the additional features they recite. Applicants respectfully request that the rejections under 35 U.S.C. §102(b) and §103(a) be withdrawn.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 6-16, 19, 21-28 and 31-47 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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